

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In re: NORA M. O'MALLEY**

**Debtor**

**Y.A.H., Inc. Profit Sharing Plan**

**Movant**

**v.**

**Nora M. O'Malley**

**Respondent**

**BANKRUPTCY CASE  
NO.: 21-11971  
CHAPTER 13**

**MOTION OF Y.A.H., INC. PROFIT SHARING PLAN TO DISMISS BANKRUPTCY  
ON GROUNDS OF BAD FAITH FILING OR, IN THE ALTERNATIVE, FOR STAY  
RELIEF, WITH PROSPECTIVE RELIEF**

Y.A.H., Inc. Profit Sharing Plan (“Movant”), through its attorneys, Weber Gallagher Simpson Stapleton Fires & Newby, LLP, Peter E. Meltzer appearing, hereby moves to dismiss bankruptcy on grounds of bad faith filing, or, in the alternative, for relief from the automatic stay. Grounds for this motion are as follows:

1. This court has jurisdiction over this contested matter pursuant to the provisions of 28 U.S.C. Section 1334 and 157(b)(2)(G).
2. Movant files this motion pursuant to Bankruptcy Rules 9013 and 9014 and Section 362(d)(1) of the Bankruptcy Code.
3. On or about July 15, 2021, Debtor filed for protection under Chapter 13 of the Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Pennsylvania under Case No. 21-11971.
4. On or about August 31, 2016, Movant loaned Debtor the principal sum of \$250,000.00 with interest in accordance with the terms and conditions of a certain Mortgage Note dated the same date executed by Debtor in favor of Movant (the "Note").
5. The Note is secured by a Mortgage executed by Debtor in favor of Movant (the